

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION**

**TENNESSEE LIVESTOCK
PRODUCERS, INC.,**

Plaintiff,

v.

**AMERICAN GENERAL LIFE
INSURANCE COMPANY,**

Defendant.

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CASE NO.:

NOTICE OF REMOVAL

Defendant American General Life Insurance Company (“American General”) hereby files this Notice of Removal of this case from the Chancery Court of Maury County, Tennessee, where it is currently pending as Case No. 23-181, to the United States District Court for the Middle District of Tennessee, Columbia Division. This cause is removable pursuant to 28 U.S.C. §§ 1332, 1441 because there is complete diversity of citizenship between Plaintiff and American General, and the amount in controversy exceeds the sum of \$75,000, exclusive of interest and costs. In support of its Notice of Removal, American General respectfully shows the Court as follows:

1. Plaintiff Tennessee Livestock Producers, Inc. (“TLP”) instituted this civil action in the Chancery Court of Maury County, Tennessee on March 30, 2023. Attached as **Exhibit A** hereto are copies of each document filed in the state action.

2. This action could have been originally filed in this Court pursuant to 28 U.S.C. § 1332 because there is complete diversity of citizenship between Plaintiff and American General, and the amount in controversy exceeds the \$75,000 jurisdictional minimum.

3. American General was served with the Summons and Complaint by certified mail on April 21, 2023. *See Exhibit B.* Therefore, this Removal is timely pursuant to Fed. R. Civ. P. 6(a) and 28 U.S.C. § 1446(b)(1).

4. The United States District Court for the Middle District of Tennessee, Columbia Division is the federal district and division embracing the Chancery Court of Maury County, Tennessee, where this suit was originally filed. Venue is therefore proper in this Court pursuant to 28 U.S.C. §§ 123(b)(3) and 1441(a).

DIVERSITY OF CITIZENSHIP

5. Plaintiff is a Tennessee corporation with its principal place of business located in Maury County, Tennessee. *See Exh. A.* Therefore, within the meaning of the Acts of Congress relating to the removal of cases, Plaintiff it is a citizen and resident of the State of Tennessee.

6. American General is a life insurance company organized under the laws of the State of Texas and maintains its principal place of business in Houston, Texas. American General is not now, and was not at the time of the filing of the Complaint, a citizen of the State of Tennessee within the meaning of the Acts of Congress relating to the removal of cases.

7. Thus, the complete diversity of citizenship requirement for removal is satisfied.

AMOUNT IN CONTROVERSY

8. Plaintiff's Complaint relates to a \$400,000 life insurance policy. *See Exh. A; see also* 28 U.S.C. § 1446(c)(2) ("If removal of a civil action is sought on the basis of the jurisdiction conferred by section 1332(a), the sum demanded in good faith in the initial pleading shall be deemed to be the amount in controversy[.]").

9. Therefore, the amount in controversy exceeds the jurisdictional minimum of \$75,000.

MISCELLANEOUS

10. A copy of this Notice of Removal is being filed with the Chancery Court of Maury County, Tennessee, as provided by law, and written notice is being sent to Plaintiff's counsel. **Exhibit C** is attached herewith, which is a copy of the Notice that will be filed with the Chancery Court of Maury County, Tennessee.

11. American General has not previously sought similar relief with respect to this matter.

12. The prerequisites for removal under 28 U.S.C. § 1441 have been met.

13. The allegations of the Notice of Removal are true and correct and within the jurisdiction of the United States District Court for the Middle District of Tennessee, Columbia Division, and this cause is removable to the United States District Court for the Middle District of Tennessee, Columbia Division.

14. If any question arises as to the propriety of the removal of this action, American General respectfully requests the opportunity to present a brief and oral argument in support of its position.

WHEREFORE, ALL PREMISES CONSIDERED, Defendant American General Life Insurance Company, by counsel, desiring to remove this civil action to the United States District Court for the Middle District of Tennessee, Columbia Division, being the district for the county in which such civil action is pending, prays that the filing of the Notice of Removal, the service of written notice thereof on Plaintiff's counsel, and the filing of a copy of this Notice of Removal with the Clerk for the Chancery Court of Maury County, Tennessee shall effect the removal of said civil action to this Honorable Court.

[SIGNATURE BLOCK ON NEXT PAGE]

Dated: May 18, 2023

Respectfully submitted by,

/s/ Joshua D. Jones

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*Counsel for Defendant American General Life
Insurance Company*

CERTIFICATE OF SERVICE

I hereby certify that on May 18, 2023 a true and correct copy of the foregoing Notice of Filing has been served via United States Certified Mail, on the following:

Julie P. Bowling
PO BOX 998
Columbia, TN 38403-0998
Counsel for Plaintiff Tennessee Livestock Producers, Inc.

/s/ Joshua D. Jones

Joshua D. Jones